

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EBATES PERFORMANCE MARKETING,

Plaintiff,

vs.

INTEGRAL TECHNOLOGIES, INC.,

Defendant.

Case No.: 12-CV-6488 YGR

**ORDER SETTING SCHEDULE ON EX PARTE
MOTION FOR TEMPORARY RESTRAINING
ORDER AND ORDER TO SHOW CAUSE RE:
PRELIMINARY INJUNCTION**

Plaintiff Ebates Performance Marketing, Inc. has filed a second Ex Parte Motion for Temporary Restraining Order and Order to Show Cause As To Why A Preliminary Injunction Should Not Issue on December 27, 2012 (Dkt No. 10, "the Motion"). Though the Motion indicated in the body that a hearing date was sought "as soon. . . as the court would schedule in its discretion," it also stated in the caption that a hearing was set actually for December 31, 2012.

Defendant Integral Technologies, Inc. has now filed a Motion to Continue Hearing. (Dkt. No. 15.)

No hearing has been set on Plaintiff's Ex Parte Application. Defendant's Motion to Continue hearing is therefore **MOOT** since no hearing is set for December 31, 2012, or otherwise.


Defendant Integral Technologies, Inc. is directed to file any opposition to the Ex Parte Motion for Temporary Restraining Order and Order to Show Cause As To Why A Preliminary Injunction Should Not Issue no later than **12:00 noon on January 3, 2013.**

The Court will consider the papers and will thereafter notify the parties if any hearing is necessary.

This order terminates Docket No. 15.

IT IS SO ORDERED.

December 28, 2012


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE